

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No.
v.	:	
	:	Board Nos.
PRO WORKS CONTRACTING, INC.	:	21-CA-120477
	:	21-CA-121946
Respondent	:	

JUDGMENT ENFORCING A SUPPLEMENTAL ORDER OF
THE NATIONAL LABOR RELATIONS BOARD

Before:

This Court having on March 3, 2017, in No. 16-73079, entered its judgment enforcing in full the Order of the National Relations Board in Board Case Nos. 21-CA-120477 and 21-CA-121946, the Board on January 4, 2018, issued its Supplemental Decision and Order and having thereafter applied to this Court for summary entry of a judgment:

IT IS HEREBY ORDERED AND ADJUDGED by the Court that the Respondent, Pro Contracting Works, Inc., its officers, agents, successors, and assigns, shall make whole discriminatees Michael Choma, Robert Whitman, and Ismael Covarrubias, by paying them the amounts following their names, plus interest accrued to the date of payment, as prescribed in *New Horizons*, 283 NLRB 1173 (1987), compounded daily as prescribed in *Kentucky River Medical Center*,

356 NLRB 6 (2010), and minus tax withholdings required by Federal and State Laws.¹

<u>Employee</u>	<u>Backpay owed</u>
Michael Choma	\$8,200
Robert Whitman	\$2,240
Ismael Covarrubias	<u>\$2,128</u>
Total amount due:	\$12,568

Endorsed, Judgment Filed and Entered

/s/ Molly Dwyer
Molly Dwyer
Clerk

¹ This amount does not yet include any excess tax. As set forth in the Board's compliance specification, the Respondent is also liable for the adverse tax consequences for any discriminatee receiving a lump-sum backpay award. These amounts may be updated to reflect the actual date of payment. Any adverse tax consequences shall be reported in accordance with *AdvoServ of New Jersey, Inc.*, 363 NLRB No. 143 (2016); *Don Chavas, LLC d/b/a Tortillas Don Chavas*, 361 NLRB 101 (2014).